APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,068	03/01/2002	Torsten Grust	SVL920010034US1	4243

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EXAMINER
NGUYEN, CINDY

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03/21/06*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 May 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This is response to communication filed 03/21/06.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the

new ground(s) of rejection.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or
composition of matter, or any new and useful improvement thereof, may obtain a patent
therefor, subject to the conditions and requirements of this title.

Claims 1, 6, 9, 14, 19, 24 and 29 are rejected under 35 USC § 101

The claimed invention is directed to non-statutory subject matter. the

claims are not provide a practical application that produces a useful, tangible and

concrete result, the claimed directed to convert one query format by converting

program code from one form to another and not claimed to produces a useful

result. A useful, concrete and tangible result must be either specifically recited in

the claim or flow inherently therefrom.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described
as set forth in section 102 of this title, if the differences between the subject matter sought to
be patented and the prior art are such that the subject matter as a whole would have been
obvious at the time the invention was made to a person having ordinary skill in the art to which
said subject matter pertains. Patentability shall not be negatived by the manner in which the
invention was made.

Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Xu (US 5995958) in view of Laitinen (US 5862383).

Regarding claims 1, 6, 9, 14, 19, 24 and 29, Xu discloses: A method and

a database management system adapted to process queries in a pervasive

computing environment and a program product comprising computer readable

program code on one or more media said program code being capable of

controlling and configuring a computer system having one or more computers to

perform the process of :

a. receiving queries in a query language the queries comprising a plurality

of query terms (accept the queries in SQL, col. 2, lines 10-23, Xu);

b. interpreting the queries by associating at least one declarative language

function with the query terms (query interpreter 29a that accepts the queries in

SQL, col. 2, lines 10-23, Xu);

However, Xu didn't disclose: converting the queries represented by

the at least one declarative language function to a plurality of imperative

language statement and executing the imperative language statements. On the

other hand, Laitinen discloses: converting the queries represented by the at least

one declarative language function to a plurality of imperative language statement

(col. 4, lines 35-59, Laitinen) and executing the imperative language statements

(col. 4, lines 49-59, Laitinen). Thus, at the time invention was made, it would

have been obvious to a person of ordinary skill in the art to include converting the

queries represented by the at least one declarative language function to a

plurality of imperative language statement and executing the imperative language

statements in the system of Xu as taught by Laitinen. The motivation being to

enable the system provide conversion of the technical specifications to the

programming lauguages that involved in the reprogramming.

Regarding claims 2, 10, 15, 20, 25, 30 all the limitations of these claims

have been noted in the rejection of claims 1, 9, 14, 19, 24 and 29 above,

respectively. In addition, Xu/Laitinen discloses: comprising converting the query

language to an intermediate tree representation corresponding to the at least

one declarative language function associated with the plurality of query terms,

and thereafter converting the query to at least one data structure that is

interpreted by an imperative language interpreter core to perform the queries

(col. 4, lines 35-59, Laitinen).

Regarding claims 3, 11, 16, 21, 26, 31 all the limitations of these claims

have been noted in the rejection of claims 2, 10, 15, 20, 25 and 30 above,

respectively. In addition, Xu/Laitinen discloses: wherein the declarative

language function is identified by a pointer to further code such that the

declarative language function is treated as data within the plurality of imperative

language statements (col. 4, lines 35-59).

Regarding claims 4, 7, 12, 17, 22, 27 and 32, all the limitations of these

claims have been noted in the rejection of claim 1, 6, 9, 14, 19, 24 and 29

above, respectively. In addition, Xu/Laitinen discloses: wherein the declarative

language is chosen from the group consisting of ML, LISP, and HASKELL. On

the other hand, Steele discloses: ML, LISP and HASKELL (col. 13, lines 10 to

col. 14, lines 15, Xu) .

Regarding claims 5, 8, 13, 18, 23, 28 and 33 all the limitations of this claim

have been noted in the rejection of claims 1, 6, 9, 14, 19, 24 and 29 above,

respectively. In addition, Xu/Laitinen disclose: wherein the imperative language

is chosen from the group consisting of C, C++, Java, Modula2, and SmallTalk

(col. 4, lines 60 to col. 5, lines 15, Laitinen).

1.   *Contact Information*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cindy Nguyen whose telephone number is 571-

2724025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gaffin Jeffrey can be reached on 571-272-4146. The fax phone numbers

for the organization where this application or proceeding is assigned are 703-872-9306

for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

FRANTZ COBY
PRIMARY EXAMINER

Cindy Nguyen

May 22, 2006